



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE June 17, 2005 LOCAL EFFECTIVE DATE July 1, 2005 APPROX FINAL EFFECTIVE DATE July 22, 2005	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Ellen Balcomb	FILE NO. DRC2004-00185
SUBJECT Request by Ellen Balcomb for a Minor Use Permit/Coastal Development Permit to add a new 360 square foot guesthouse and permit an existing 96 square foot unconditioned tea house to an existing residential single family home. The project will result in a site total of 2,804 square feet of footprint and 3,625 square feet of gross structural area on an approximately 17,500 square foot parcel. The project will result in approximately 540 cubic yards of grading (fill), approximately 360 square feet of site disturbance, and there will be no tree removal with this proposed project. The project is located at 1050 Kenneth Dr. in the Community of Cambria, in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2004-00185 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption pursuant to CEQA guidelines section 15303 was issued on May 19, 2005 (ED04-527).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Terrestrial Habitat, Local Coastal Program, and Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 023-026-005	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks and Height <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Terrestrial Habitat, Guesthouse Standards, Archaeological Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Slightly sloping (less than 10%)	VEGETATION: Ornamental Vegetation
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: May 13, 2005

PLANNING AREA STANDARDS:

The proposed project is located within the Lodge Hill of Cambria. The site is within Cambria Pines Estates # 1 which is exempt from the requirements of Table G in the North Coast Area Plan because of the large lot sizes. The project site is approximately 17,500 square feet and does not have any limitations for footprint and gross structural area.

Height: The maximum height for all single family structures is 28 feet. *This project complies with this standard at a proposed height of approximately 13 feet.*

Setbacks: The North Coast Area Plan refers projects located in Cambria Pines Estates # 1 to the Coastal Zone Land Use Ordinance for setback requirements. The required setbacks are as follows:

Front 25'
 Rear 10'
 Side 5'

There are also interior setback requirements for residential buildings. The minimum setback between a principal residence and an accessory building is to be at least six feet.
The project complies with all setback requirements.

LAND USE ORDINANCE STANDARDS:

Local Coastal Program: The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

Guesthouse Standards: A guesthouse is a sleeping/home office area that does not have an indoor connection to the principal dwelling and does not contain cooking or laundry facilities. A guesthouse cannot be more than two bedrooms and one bathroom, but there can be a wet bar with one sink and an under the counter refrigerator. The maximum floor area of a guesthouse shall be 40% of the habitable area of the principal dwelling up to a maximum of 600 square feet. The guesthouse must also be located no more than 50 feet from the primary dwelling (unless a larger distance is approved through Minor Use Permit). This project complies with these standards.

Terrestrial Habitat: Vegetation that is rare or endangered, or that serves, as habitat for rare or endangered species shall be protected. The Lodge Hill area of Cambria contains a sensitive Monterey Pine Forest, and development proposals are required to protect, enhance, and replace lost trees through development proposals. Development has been sited to minimize disruption of the habitat and native plants. No native vegetation that is the basis of the Terrestrial Habitat designation will be removed with this project.

Archaeologically Sensitive Area: A Cultural Resources Inventory was conducted on the project site for the permit on the existing single family residence by Charles E Dills (12/6/92). The results of the investigation found that no potentially significant cultural resources are present on the parcel. From these results, no further mitigation is required.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The applicant has submitted a conditional confirmation letter of water and sewer availability dated March 10, 2005 which shows impact fees being paid for the proposed project.

Coastal Watersheds:

Policy 7: Siting of new development: *The proposed project is consistent with this policy because the new residence will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.*

Policy 8: Timing of new construction: *The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.*

Policy 10: Drainage Provisions: *The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the new residence will not increase erosion or runoff.*

Hazards:

Policy 1: New Development: *The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.*

Policy 2: Erosion and Geologic Stability: *The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.*

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized. Trees to be removed will be replaced at a 4 to 1 ratio for Coast Live Oaks and a 2 to 1 ratio for Monterey Pines.*

Policy 2: Permit Requirement: *The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.*

Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.

Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because the project includes tree replacement for all removed pines and oaks.

Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized. If trees are removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.

Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized through project design.

Archeology:

Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas applies to the project. The Preliminary Site Survey conducted for the parcel by Charles Dills found that no potentially significant cultural resources are present on the parcel.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: (NCAC March land use meeting) "no comment"

AGENCY REVIEW:

Public Works – Recommend approval, no concerns.

Cambria Community Services District –See confirmation of water and sewer availability letter dated March 10, 2005 in file.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matthew Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to an existing single family residence with sensitive habitat disturbance.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and is consistent with all of the General Plan policies as conditioned.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.
- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized and if pine trees are removed, they will be replaced on a two-to-one basis. Oak trees will be replaced on a four-to-one basis.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is a minor addition of a guesthouse and tea house with minimal site disturbance.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes the construction of a new 360 square foot guesthouse and permit an existing 96 square foot unconditioned tea house to an existing residential single family home. The project will result in a site total of 2,804 square feet of footprint and 3,625 square feet of gross structural area on an approximately 17,500 square foot parcel.
2. All permits shall be consistent with the approved site plans, floor plans, and elevations.

Grading, Drainage, Sedimentation and Erosion Control

3. **Prior to issuance of construction permits**, if grading is to occur between October 15 to April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
4. **Prior to issuance of construction permits**, the applicant shall submit a drainage plan for review and approval by the County Public Works Department.
5. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control devise or drainage system approved by the County Engineer.
6. Permanent erosion control devises shall be installed prior to or concurrently with on-site grading activities.
7. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
8. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
9. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devises in place.

Fire Safety

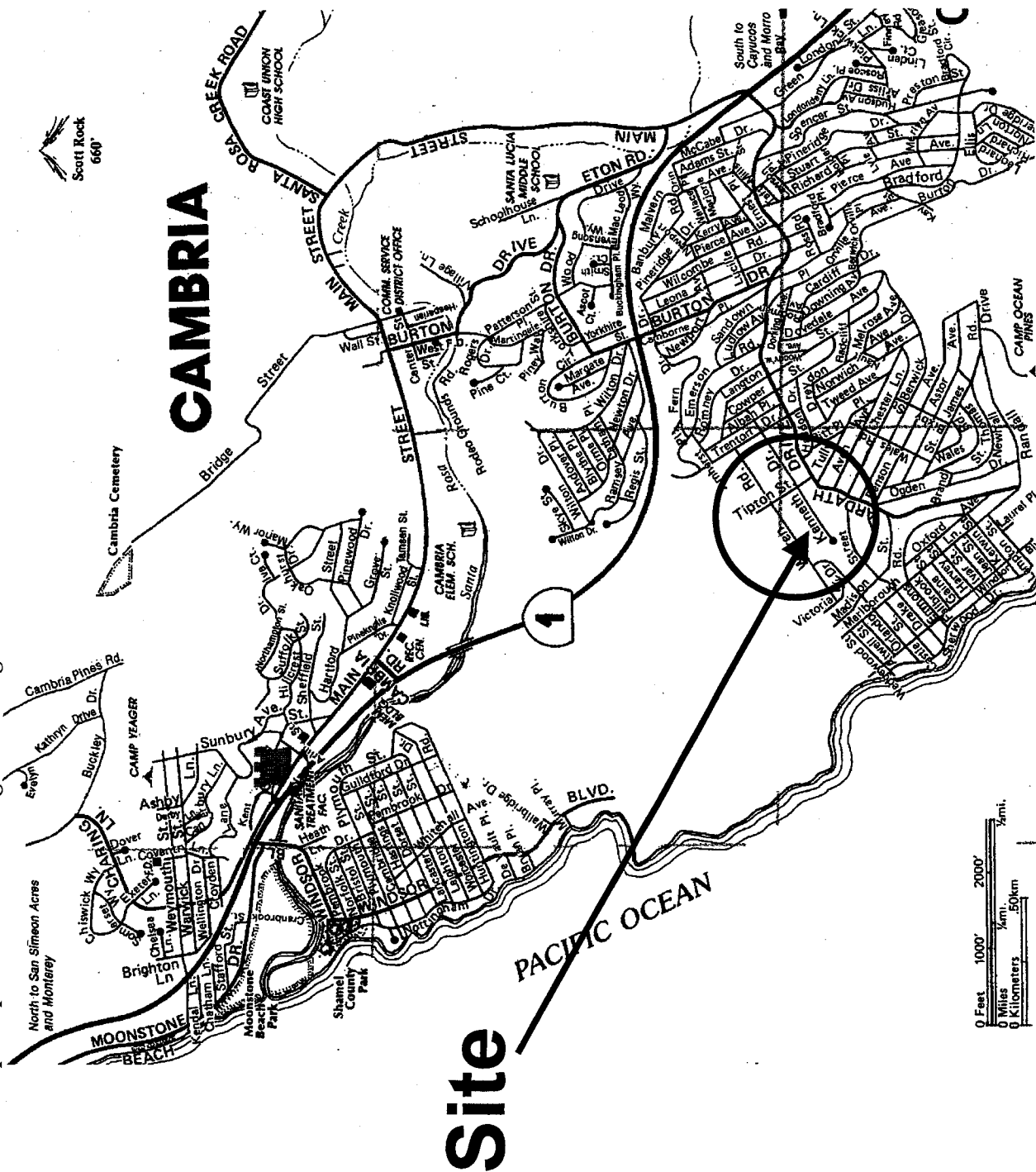
10. **Prior to issuance of construction permits**, the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.
11. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

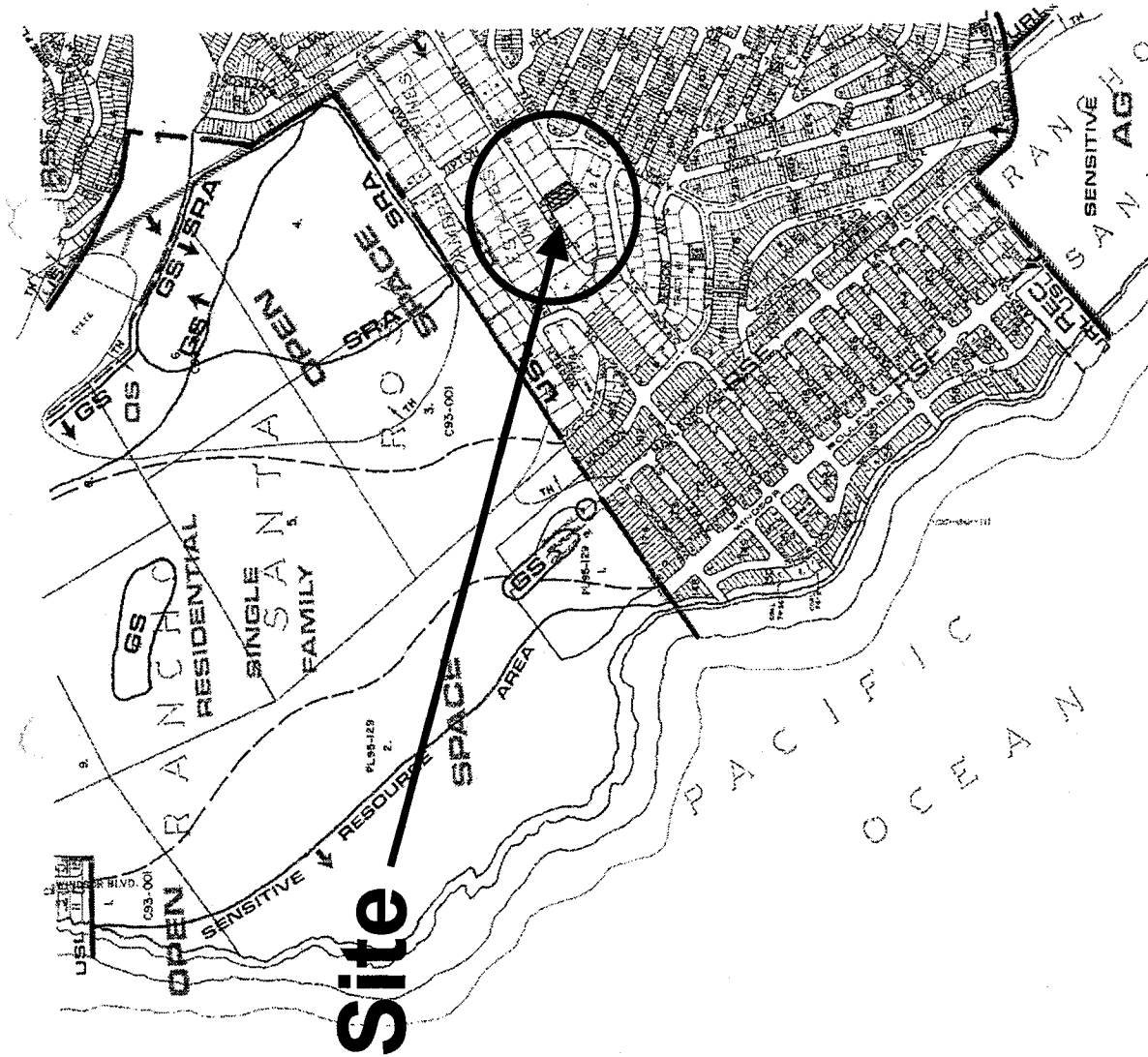
Cambria Community Services District

12. **Prior to issuance of construction permits**, the applicant shall provide a receipt from Cambria Community Services District showing payment of all impact fees for additional water fixtures.

Miscellaneous

13. **Prior to issuance of construction permits**, the applicant shall pay all applicable school and public facilities fees.
14. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
15. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').



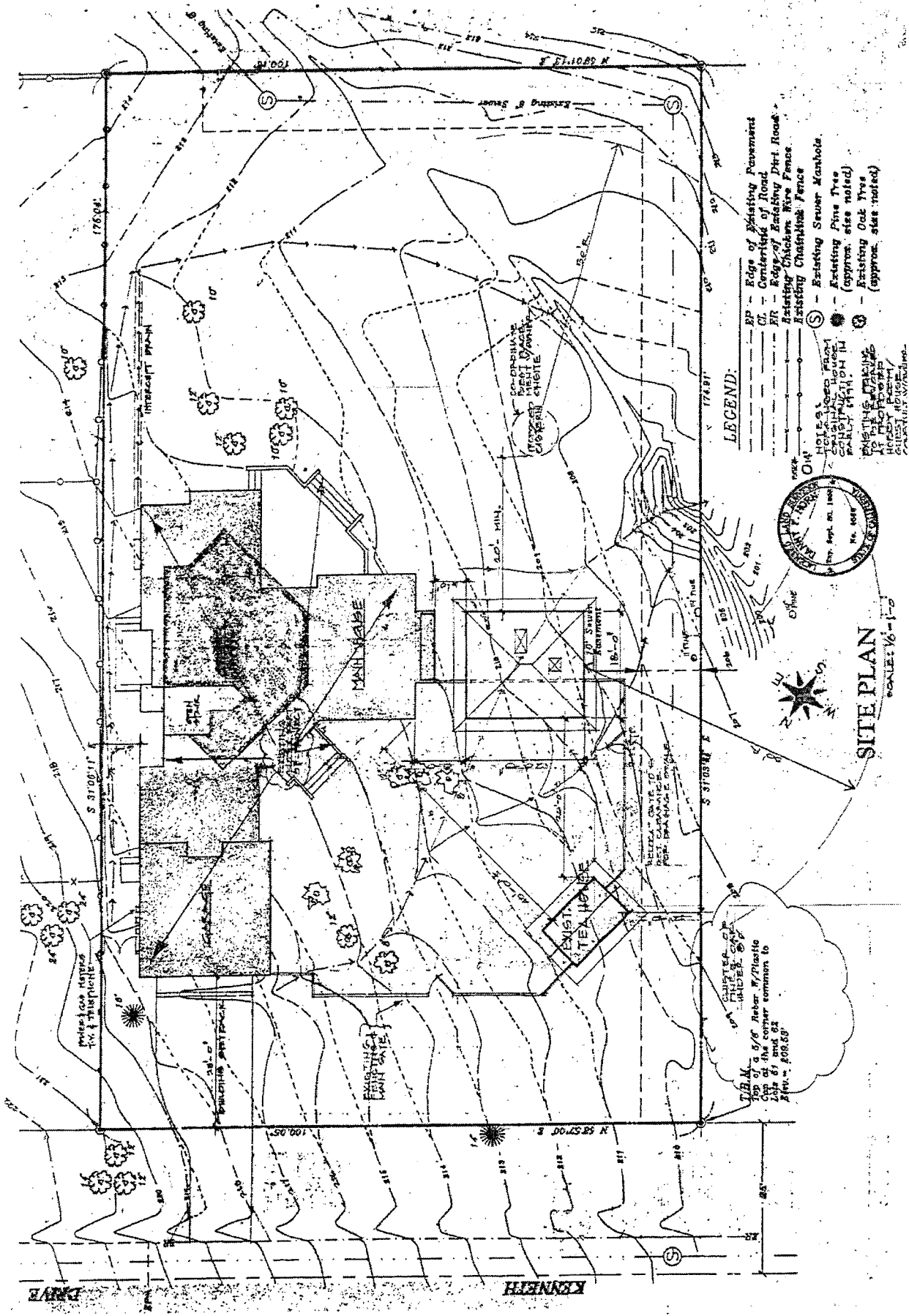


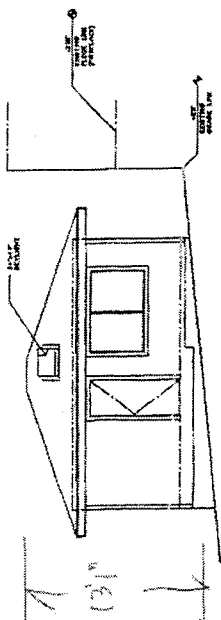
Project
Minor Use Permit
Balcomb/ DRC2004-00185



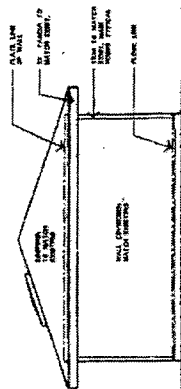
Exhibit

Land Use Category

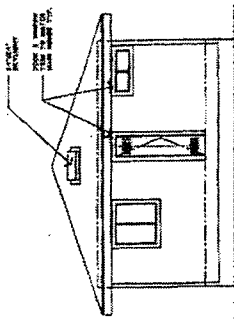




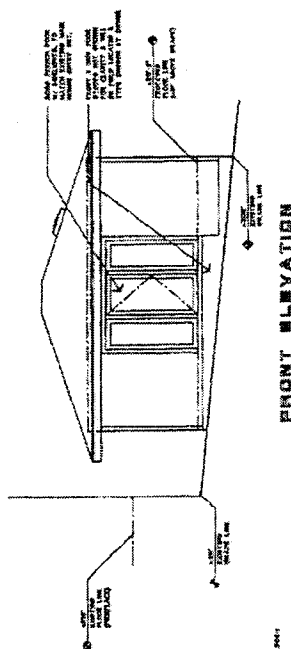
REAR ELEVATION



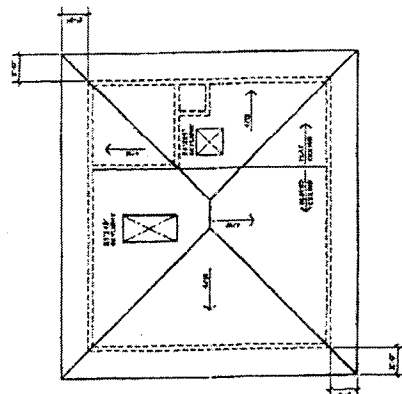
LEFT SIDE



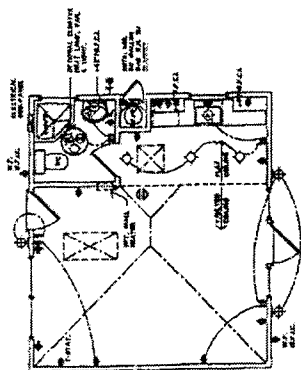
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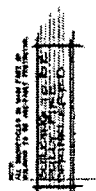
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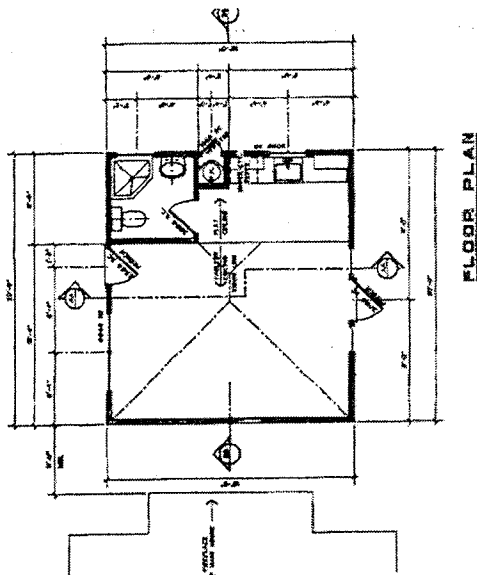
ROOF PLAN



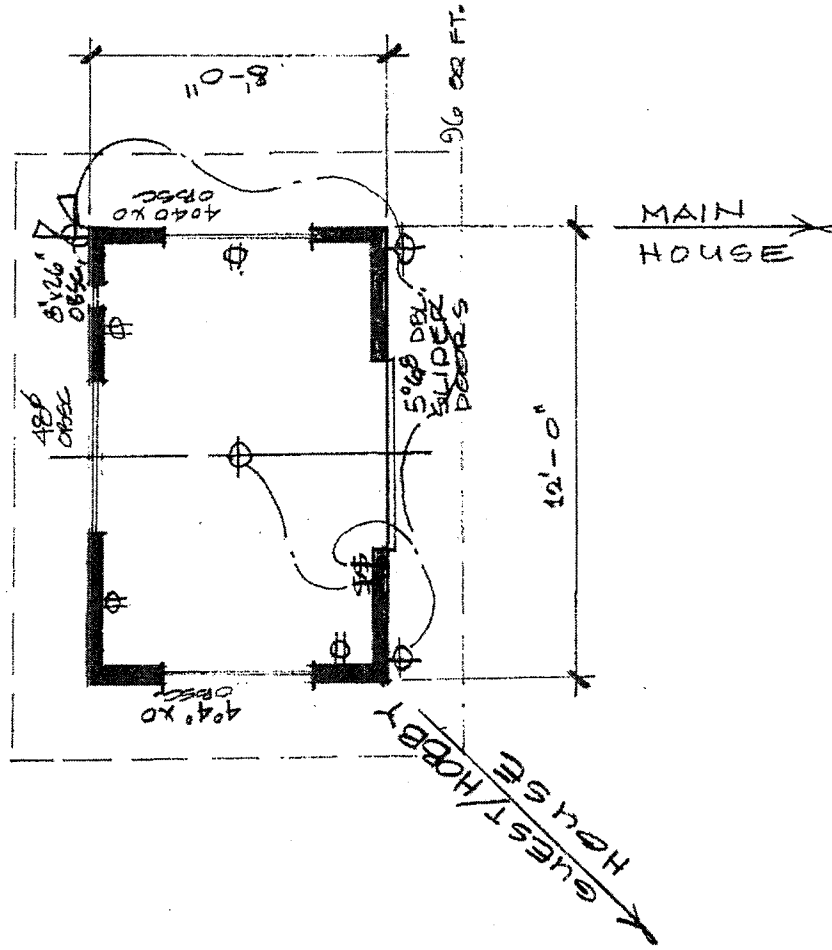
ELECTRICAL/MECHANICAL



ELECTRICAL LEGEND	
1	ELECTRICAL LIGHT SWITCH
2	ELECTRICAL LIGHT SWITCH BOX
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NOTES:
TEA HOUSE IS A
NON CONDITIONED
SPACE W/O HEATING
& OR AC, NO WATER
FIXTURES (SINK,
TOILET, SHOWER/TUB.



Project

Minor Use Permit

Balcomb/ DRC2004-00185



Exhibit

Enlarged Floor Plan